

85th Legislative Session – 2010

Committee: Senate Education

Thursday, February 18, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Gray
P Jerstad
P Nesselhuf
P Olson (Russell)
P Peterson
P Knudson, Vice-Chair
P Garnos, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cooper Garnos, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 16, 2010.

Moved by: Gray
Second by: Olson (Russell)
Action: Prevailed by voice vote.

SB 156: require that determinations in both adult and juvenile court proceedings relative to a controlled substance violation of a high school student participating in extracurricular activities be reported to the South Dakota High School Activities Association and to the school administrator.

Presented by: Senator Bob Gray
Proponents: Lindsey Riter-Rapp, High School Activities, Assn.
Greg Sattizahn, Unified Judicial System (Handouts: Doc. 1)

MOTION: AMEND SB 156

156ca

On page 1, line 8, of the printed bill, after "sentence" insert "or suspended adjudication of delinquency".

On page 2, line 9, remove the overstrikes from "~~juvenile~~".

On page 2, line 12, after "activity." Insert "The Unified Judicial System shall give notice to the chief administrators of secondary schools accredited by the Department of Education for any such determination in a court proceeding for any person eighteen to twenty-one years of age without regard to current status in school or involvement in extracurricular activities. The notice shall include name, date of birth, city of residence, and offense. The chief administrator shall give notice to the South Dakota High School Activities Association if any such person is participating in extracurricular activities.".

Moved by: Olson (Russell)
Second by: Gray
Action: Prevailed by voice vote.

MOTION: DO PASS SB 156 AS AMENDED

Moved by: Gray
Second by: Olson (Russell)
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Gray, Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

SB 105: allow all school districts to have a general fund balance percentage of up to forty percent for fiscal years 2011 through 2015.

Presented by: Senator Cooper Garnos
Proponents: Paul Bachand, Attorney General's Office

MOTION: AMEND SB 105

105ca

On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 13-42-9 be amended to read as follows:

13-42-9. The secretary of the Department of Education may revoke or suspend any certificate for any cause which would have prevented its issue, plain violation of contract, gross immorality, incompetency, violation of the code of ethics ~~in effect on July 1, 2001, established pursuant to § 13-43-25 or 13-43-45,~~ as determined by the Professional Teachers Practices and Standards Commission or the Professional Administrators Practices and Standards Commission, or flagrant neglect of duty, and may suspend any certificate for a period not to exceed one year for breaking or jumping a contract, if such suspension is requested by the school board. However, the secretary may not suspend a certificate for breaking or jumping a contract if the school board collected liquidated damages pursuant to the terms of the contract."

Moved by: Nesselhuf
Second by: Jerstad
Action: Prevailed by voice vote.

MOTION: DO PASS SB 105 AS AMENDED

Moved by: Knudson
Second by: Jerstad
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Gray, Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

MOTION: AMEND TITLE OF SB 105

105cta

On page 1, line 1, of the printed bill, delete everything after "An Act to" and insert "provide a statutory reference for the code of ethics for certified teachers and administrators."

On page 1, delete line 2.

Moved by: Olson (Russell)
Second by: Nesselhuf
Action: Prevailed by voice vote.

MOTION: PLACE SB 105 ON CONSENT CALENDAR

Moved by: Knudson
Second by: Olson (Russell)
Action: Prevailed by voice vote.

HB 1129: provide for the early reinstatement of a student expelled from school under certain circumstances.

Presented by: Representative Manny Steele

Proponents: Jerry Schutz, Self, Tea
Wade Pogany, Department of Education
John Pedersen, School Administrator of South Dakota
Wayne Lueders, Associated School Boards of SD

MOTION: DO PASS HB 1129

Moved by: Knudson

Second by: Jerstad

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Gray, Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

HB 1152: require the Department of Education to develop a framework for entrepreneurship education.

Presented by: Senator Ryan Maher (Handouts: Doc. 2,3,4)

Senator Jerstad asked Mark Wilson, Department of Education (Handouts: Doc. 5) for clarification of a question.

MOTION: DO PASS HB 1152

Moved by: Peterson

Second by: Jerstad

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Gray, Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

MOTION: PLACE HB 1152 ON CONSENT CALENDAR

Moved by: Knudson

Second by: Nesselhuf

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Nesselhuf

Second by: Peterson
Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Cooper Garnos, Chair